

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

FLAGSTAR BANK, FSB,)	
)	
Plaintiff,)	
)	Civil Action No. 3:21-cv-00568
v.)	
)	
KEITER, STEPHENS,)	
HURST, GARY & SHREAVES,)	
A PROFESSIONAL CORPORATION)	
d/b/a KEITER CPA,)	
)	
Defendant.)	

**MEMORANDUM IN SUPPORT OF MOTION TO EXTEND TIME FOR FILING
RESPONSE TO DEFENDANT’S MOTION TO DISMISS**

Pursuant to Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure and Local Rule 7(F)(1) of the Local Rules of the Eastern District of Virginia, Plaintiff, by counsel, and joined by Defendant, hereby moves for an extension of the deadline to file opposition to the motion to dismiss that has been filed in this case by the Defendant and for a corresponding extension for Defendant to file a reply to the opposition. In support of this motion, Plaintiff states as follows:

1. Plaintiff filed its Complaint on September 1, 2021, bringing claims against Defendant for fraud, aiding and abetting fraud, and negligent misrepresentation.
2. Defendant filed a Motion to Dismiss and supporting memorandum on November 1, 2021.
3. Pursuant to Local Rule 7(F)(1), Plaintiff’s opposition to this motion is due Monday, November 15, 2021.

4. Defendant's motion to dismiss is substantial and seeks dismissal of each of Plaintiff's three causes of action.
5. There is an intervening federal bank holiday during the time in which Plaintiff has to respond to Defendant's motion.
6. To allow sufficient time to draft a response and permit client review, counsel requests an extension of time so that Plaintiff's opposition would be due on or before **Tuesday, November 23**.
7. So that Defendant's may have adequate time to reply to Plaintiff's rebuttal motion, and in light of the Thanksgiving holiday, counsel requests that the time Defendant has to reply be extended to **Thursday, December 2**.
8. The undersigned submits that this motion is made in good faith, after consultation with counsel for the Defendant, is not interposed for purposes of delay, will result in no prejudice to Defendant, which consents to the relief requested, and is in the best interests of justice and judicial economy.

Respectfully submitted,

/s/ Jeri K. Somers

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of November 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF systems which will send a notification of electronic filing (NEF) to the following:

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